

# Hecker Fink LLP

NEW YORK | WASHINGTON, DC | LOS ANGELES

350 FIFTH AVENUE | 63<sup>RD</sup> FLOOR  
NEW YORK, NEW YORK 10118TEL (212) 763-0883 | FAX (212) 564-0883  
WWW.HECKERFINK.COMDIRECT DIAL: 212.763.0883  
DIRECT EMAIL: shecker@heckerfink.com

September 10, 2025

**BY ECF**

The Honorable Margo K. Brodie  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

*Re: Federal Defenders of New York, Inc. v. Federal Bureau of Prisons,  
et al., No. 19 Civ. 660 (MKB)*

Dear Chief Judge Brodie:

We write on behalf of the Federal Defenders to provide an update pursuant to the Court's order dated September 3, 2025.

***Delays Due to Visitor Tracking System.*** As the parties have previously reported, *see, e.g.*, ECF Nos. 465, 468, and 472, the system enacted in April 2025 by the BOP for tracking visitor information continues to cause delays for legal visitors, which the MDC has reported stems from miscommunications within the BOP, training issues, and quarterly changes in staff assignments to the front lobby at MDC. For example, on July 14, attorneys reported long wait times for legal visitors to be processed at the front desk of MDC. Following the protocol discussed during this Court's July 11, 2025 status conference, attorneys waiting to be processed contacted MDC Legal about the wait time. However, the attorneys either received no response or were informed that MDC Legal cannot expedite visitor processing times. On July 28, CJA and Federal Defenders attorneys—including Ms. Hirozawa and Ms. Dabbs—experienced significant delays at the front desk of MDC due to the staff's lack of familiarity with the visitor information tracking system. Most recently, on August 14, 2025, a Federal Defenders paralegal reported waiting over two hours to see a client. Although Defendants have acknowledged these delays should not occur, Plaintiff is concerned that the delays continue without any foreseeable resolution, despite a clear need for increased MDC staff training.

***Remote Access.*** The parties continue to discuss ongoing issues related to remote access. Lawyers seeking to conduct meetings with clients via video teleconference ("VTC") have reported frequent technical and audibility issues. Additionally, Federal Defenders phones in various units are broken, which Plaintiff has reported to Defendants. Plaintiff also informed Defendants of

multiple instances of scheduled VTC visits being converted to phone calls by MDC staff, calls not connecting, or clients not being produced for calls. One attorney was unable to conduct VTCs with their client because the client uses a walker and most VTCs are not accessible other than by stairs. Plaintiff is concerned that these issues persist despite Plaintiff repeatedly raising them during mediation.

***Settlement Agreement.*** Plaintiff received Defendant's redline of the draft settlement agreement on June 23, 2025. The parties have been engaging in substantive settlement discussions, conferring on questions and implementing edits. Plaintiff anticipates circulating a revised draft of the settlement agreement in the coming days. Plaintiff is committed to continuing productive settlement discussions and appreciates the input that Defendants have shared thus far regarding the settlement agreement.

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We thank the Court for its continued attention to these important issues.

Respectfully submitted,



Sean Hecker

cc: Counsel of Record (by ECF)  
Hon. Loretta Lynch, Paul, Weiss, Rifkind, Wharton & Garrison LLP (by e-mail)  
Roberto Finzi, Paul, Weiss, Rifkind, Wharton & Garrison LLP (by e-mail)  
Charlie Figueroa, Paul, Weiss, Rifkind, Wharton & Garrison LLP (by e-mail)